

**COLORADO RIVER RECOVERY PROGRAM
FY-2001 PROPOSED SCOPE OF WORK**

Project No.: CAP-6-EM

Lead Agency: U.S. Fish and Wildlife Service
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Date: May 9, 2000

Category:

- Ongoing project
- Ongoing-revised project
- Requested new project
- Unsolicited proposal

Expected Funding Source:

- Annual funds
- Capital funds
- Other

I. Title of Proposal:

Management of easements acquired for the Recovery Program

II. Relationship to RIPRAP:

- GREEN RIVER ACTION PLAN: MAINSTEM
ACTIVITY II. RESTORE HABITAT
II.A. Restore and manage flooded bottomland habitat.
- COLORADO RIVER ACTION PLAN: MAINSTEM
ACTIVITY II. RESTORE HABITAT
II.A. Restore and manage flooded bottomland habitat.
- COLORADO RIVER ACTION PLAN: GUNNISON RIVER
ACTIVITY II. RESTORE HABITAT
II.A. Restore and manage flooded bottomland habitat.

III. Study Background:

Easements have been acquired on 438 acres (8 properties) as of May 2000. Offers are currently out on an additional ~250 acres (12 properties), and another 15 properties are in various stages of the acquisition process. Easements acquired by the Recovery Program are transferred to the U.S. Fish and Wildlife Service for management as part of the Colorado River Wildlife Management Area established in July 1999. An easement management manual has recently been developed for acquired easements ("Administrative and Enforcement Guidelines and Procedures for Management of Perpetual Floodplain Easements, Colorado River Wildlife Management Area" dated April 3, 2000).

Management will primarily consist of monitoring easements to ensure that landowners comply with easement conditions. The Refuge Manager and/or staff will visit with landowners to ensure that they understand the terms of the easement; they will conduct annual aerial inspections of the easements; and they will conduct annual ground inspections. Procedures have been established in the event of an easement violation.

IV. Study Goals, Objectives, End Product:

Goal:

To monitor and manage easements acquired by the Recovery Program for the purpose of supporting and sustaining recovery of the endangered fishes

Objectives:

1. To restore, enhance, and/or protect floodplain habitats to benefit endangered fishes.
2. To maintain positive relationships with Colorado River Wildlife Management Area landowners.

End Product: Annual report submitted to the Recovery Program

V. Study Area

Easements are located within priority geographic areas which include the Green River floodplain between Pariette Draw (RM 238) and Dinosaur National Monument (RM 318); the Gunnison River floodplain between Escalante SWA (RM 50) and the North Fork (RM 75) and the Whitewater area; and the Colorado River floodplain between Westwater (RM 127) and Rifle (RM 240).

VI. Study Methods/Approach

After an easement is acquired by the Recovery Program and transferred to the U.S. Fish and Wildlife Service, contact will be established between the Refuge Manager and the landowner as soon as possible. A letter will be sent by the Refuge Manager to the landowner that introduces the easement managers and describes what the landowner can expect during easement administration. Attached to the letter will be maps, photos, and legal descriptions that delineate easement boundaries; and lists of activities that are allowed, not allowed, or allowed only with a permit. Floodability enhancement plans will accompany the letter where applicable. The landowner needs to be notified prior to any construction activities, and a pre-construction meeting will be held with the landowner in attendance. After initial contact, easement reminder letters will be sent annually.

The Refuge Manager will have an annual on-site meeting with the landowner and/or operator. At such a meeting, the Refuge/District Manager will review the terms and

conditions of the easement contract, reaffirm the landowners and the operators understanding of the terms and conditions, visually inspect all dikes, dams, and levees, building sites and other improvements to assess whether any improvements or additions contrary to the easement or Service permits have been made, or that Service constructed inlets, outlets, gates, dikes, or levees are operating as designed and are in a good state of repair. Any management problems that the landowner or operator are experiencing will be discussed.

The annual meeting and inspection are also ways to reaffirm that the landowner, or possibly a new or second-generation landowner or operator, is aware and knowledgeable of the easement and its terms and conditions, and a way to establish more of a partnership or relationship between the landowner/operator and the Service.

All easements will be checked aerially for compliance once each year during spring runoff (May). The objective is to detect all activities which may constitute a violation of the floodplain easement contracts. Such violations would include alterations in floodplain topography or hydrology resulting from earth-moving, excavation, and/or construction or operation of flood-control features.

If violations are suspected as a result of the routine aerial flight in May, then follow-up ground inspections will be conducted as soon as possible. Otherwise, routine annual on-the-ground inspections are made in September or October. This step will eliminate more suspected violations. Once a violation is confirmed, it must be investigated and documented in detail.

If damage or harm to the floodplain easement can be demonstrated or articulated as a result of activities within the easement boundaries, an easement violation may have been committed. The circumstances will be documented and the landowner will be consulted. If the landowner does not repair the damage, the Refuge Manager or Special Agent may issue a notice of violation. Compliance contacts will be made until restoration or restitution has been accomplished.

To address local concerns, easement management will include monitoring for noxious weeds. The monitoring may be conducted by refuge staff during annual ground inspections, or it may be contracted out. The degree to which easement management will involve noxious weed management and control is not known at this time.

VII. Task Description and Schedule (FY2001)

1. Initial contact with landowner (within 30 days after easement is acquired or land ownership has been transferred)
2. Annual monitoring
 - a. Aerial inspections (May)
 - b. Ground inspections and annual meetings with landowners (September/October unless an easement violation was detected during the aerial inspection)

3. Pre-construction meetings (as needed)
4. Permit issuance (as needed)
5. Enforcement (as needed)

VIII. FY-2001 Work

-Description of Work

See study methods/approach and task descriptions, above.

-Deliverables

Annual report of activities

-Budget

\$50K (labor, travel, aircraft rental, supplies)

Note: Budget includes \$10K for weed monitoring and management

IX. Budget Summary

FY2001 \$ 50K (O&M plus 10% overhead)

Signature Lines